

**MINUTES OF THE CITY OF LAS VEGAS REGULAR CITY COUNCIL MEETING HELD
ON WEDNESDAY, NOVEMBER 17, 2021 AT 5:30 P.M. IN THE CITY OF LAS VEGAS
CITY COUNCIL CHAMBERS**

MAYOR: Louie A. Trujillo

COUNCILORS: Elaine Rodriguez
Michael Montoya
David Ulibarri, Jr.
David Romero

ALSO PRESENT: Leo Maestas, City Manager
Casandra Fresquez, City Clerk
Scott Aaron, City Attorney
Antonio Salazar, Sergeant at Arms

CALL TO ORDER

Mayor Trujillo called the meeting to order at 5:30 p.m. He welcomed everyone present which included the Robertson High School Volleyball State Champions.

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor Trujillo asked for a moment of silence to thank our Creator for all these young people who are achieving in life. He advised how proud everyone was of the team, he thanked the RHS Volleyball team and commended the parents, teachers, superintendent and all involved for supporting them and thanked our Creator for all blessings that we have.

APPROVAL OF AGENDA

Councilor Romero made a motion to approve the agenda as presented. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|------------------|-----|
| David Ulibarri, Jr. | Yes | Elaine Rodriquez | Yes |
| Michael Montoya | Yes | David Romero | Yes |

City Clerk Casandra Fresquez advised the motion carried.

PUBLIC INPUT

City Clerk Casandra Fresquez informed that there was no public input at this time.

MAYOR'S APPOINTMENTS/REPORTS AND RECOGNITIONS/PROCLAMATIONS

Mayor Trujillo advised that a recognition would take place tonight, on behalf of the Governing Body to honor the Robertson High School Lady Cards Volleyball State Champions.

Councilor Ulibarri, Jr. read the Certificate of Recognition recognizing the NMAA 2021 State Volleyball Champions, for winning their second season in a row and finishing off a perfect 27-0 season with a victory over St. Michael's High School for the Blue Trophy. He acknowledged his granddaughter, team member Felicia Ulibarri and commended the whole team for a job well done throughout the whole season.

Mayor Trujillo acknowledged the rest of the RHS Volleyball Team as follows: Azlyn Padilla, Jaylee Gonzales, Carli Marrujo, Lainey Baca, Mistidawn Roybal, Brianna Quintana, Jayden Jenkins, Stella Garcia, Alexis Pacheco, Mikaella Sena, Alyxa King-Greenwalt, Rhea Flores, Pasepa Tuineau and Trinity Sena. He also recognized Head Coach Vanessa Gonzales, Assistant Coaches: Desiree Garcia and Vanessa Baca.

COUNCILORS' REPORTS

Councilor Rodriguez reported that she had been receiving several texts, calls and emails from community members pertaining to the progress of many projects throughout the city and she thanked city employees for their hard work.

Councilor Montoya asked City Manager Maestas to look into the matter of a situation with another group sponsoring a turkey run event in town without going through the process and was concerned about the public's safety. Councilor Montoya advised that the judge had come to a determination in regards to the water lawsuit between the City of Las Vegas and the Acequias and asked City Attorney Aaron to give a briefing on the matter.

City Attorney Aaron discussed the water priority rights lawsuit that had been going on for decades between the City of Las Vegas and the Acequias and informed they had received the judge's decision this morning granting the city the water rights that the city was requesting. He informed this was an opportunity for this case to be done, the other party could appeal it if they wanted to and the city had been trying to get this decision for some closure. City Attorney Aaron stated it was important for the citizens to be informed and they were hopeful that at least they reached a certain threshold where the city could move forward. He informed that the city has two priority dates they are requesting, so we should be well situated for the foreseeable future when it comes to water.

Councilor Montoya stated that the lawsuit had been a priority for this administration, that further discussion in regard to cost of the water litigation would take place in the near future and water restrictions would still be in place due to it being a dry year. He mentioned that the Christmas Tree challenge was coming along and hoped they would raise a lot of money for the soup kitchens.

Councilor Romero thanked City Manager Maestas and City staff for all their hard work in getting ready for the holidays.

POLICE CHIEF'S REPORT

Police Chief Antonio Salazar presented in detail the Police Chief's Report for the month of October 2021.

Councilor Romero asked if the Police Advisory Committee had reviewed the By Laws Ordinance that he had submitted.

Police Chief Salazar informed that they had not submitted anything yet and they were having a meeting tomorrow although was not sure where they were regarding that ordinance.

Councilor Ulibarri, Jr. discussed several traffic issues in regards to speeding and some drivers also running stop signs as well as loud traffic in the area of Romero and Lopez Streets. He requested that if possible to have more Police patrolling in that area.

Police Chief Salazar advised he would relay that information to the proper supervisors.

Brief discussion took place regarding the seven new police vehicles that the LVPD would be receiving, issues of the high number of animals being brought to the animal shelter and of potential plans for educating the public regarding care for their animals.

City Attorney Aaron advised he had been informed by local law enforcement that a high count of animals were being brought to the animal shelter facility, due to someone in the county who was supposedly breeding wolf dog hybrids that was not taking care of them and that may be partially the reason for the high number.

Councilor Montoya asked Police Chief Salazar to look into the specifics of whether they were brought in from the city or the county.

FINANCE REPORT

Finance Director Jesus Baquera presented the Finance Report for the month ending October 31, 2021, reporting the General Fund revenue at 33%, with expenditures at 28% and the surplus at \$53,711.00 . The Enterprise Funds revenue came in at 27%, expenditures were at 21% and surplus amount was \$666,999.32. He reported the Recreation Department revenue at 20%, expenditures at 14% and with a surplus of \$81,349.00. Lodgers Tax revenue came in at 47%, expenditures were 24%, and surplus amount was \$101,813.00.

Mayor Trujillo asked Finance Director Baquera if the Finance Report was approved by the Finance Committee and if there was anything on this report that he needed to advise about that would be of concern.

Finance Director Baquera advised that the report had been reviewed by the Finance Committee on Monday and informed that auditors were here for the yearly audit and the department was receiving online training with the Department of Finance Administration.

Councilor Romero asked Finance Director Baquera if the Council could receive a monthly General Revenue comparison report from the previous year.

Finance Director Baquera stated he would provide the GR comparison report.

APPROVAL OF MINUTES (November 3, 2021)

Councilor Romero made a motion to approve the minutes of November 3, 2021. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|-----|
| Elaine Rodriquez | Yes | Michael Montoya | Yes |
| David Ulibarri, Jr. | Yes | David Romero | Yes |

City Clerk Fresquez advised the motion carried.

Mayor Trujillo commended City Clerk Fresquez' team for their excellent work in regards to preparing meeting minutes, he stated that minutes were very important and asked that she relay his appreciation to them.

Councilor Montoya stated that regarding redistricting, he felt it would be helpful to post the new district map in the City Hall lobby and also at the voting posts.

BUSINESS ITEMS

Conduct a Public Hearing for Business Item 1

1. Adoption of Ordinance No. 21-20 Redistricting Plan C prepared by New Mexico Research Demographics, LLC.

Councilor Romero made a motion to go into Public Hearing. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|-----|
| Michael Montoya | Yes | David Ulibarri, Jr. | Yes |
| Elaine Rodriquez | Yes | David Romero | Yes |

City Clerk Fresquez advised the motion carried.

City Clerk Fresquez informed that there was no public input regarding this business item.

City Attorney Scott Aaron asked if there was anyone who would like to speak on the issue, to stand and be sworn in. Casandra Fresquez was sworn in.

City Clerk Casandra Fresquez advised there were three (3) redistricting plans that were proposed at the Council meeting on November 3, 2021. Mayor and Council approved Ordinance No. 21-20 to include Plan C redistricting map to be published which was recommended by the Redistricting Committee. Plan C is the map that has prominent boundaries and is divided along major geographical features that are easily identified.

Councilor Romero made a motion to leave Public Hearing. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|-----|
| David Romero | Yes | David Ulibarri, Jr. | Yes |
| Elaine Rodriquez | Yes | Michael Montoya | Yes |

City Clerk Fresquez advised that the motion carried.

Brief discussion took place in regards to the posting areas of the new redistricting map and the purpose it would serve.

Councilor Romero made a motion to adopt Ordinance No. 21-20 Redistricting Plan C prepared by New Mexico Research Demographics, LLC. Councilor Rodriguez seconded the motion.

Ordinance 21-20 was presented as follows:

ORDINANCE NO. 21-20

AN ORDINANCE REDISTRICTING THE CITY OF LAS VEGAS FOUR (4) WARDS APPORTIONING THE CITY COUNCIL DISTRICTS IN ACCORDANCE WITH THE POPULATION OF THE CITY OF LAS VEGAS REPORTED AS A RESULT OF THE 2020 FEDERAL CENSUS; DEFINING THE DISTRICTS CREATED AS A RESULT THEREOF.

WHEREAS, Section 3-12-1.1 NMSA 1978 as amended requires that the governing body of a municipality reapportion the representation among the geographic (election) districts in 2021 to give, as is practicable representation on the basis of population as determined in the 2020 census for the purpose of electing from each ward one member to the City Council of the City of Las Vegas; and

WHEREAS, in accordance with Section 14-6 (F) through (I) respectively of the City code; the location of boundaries for the four City wards shall be shown and delineated on the Official Ward Map for the City and following every federal decennial census, the City Council shall, by ordinance, readjust ward boundaries population as nearly equal as practicable and to maintain wards in compact and contiguous groups.

WHEREAS, New Mexico Demographic Research, LLC has been retained by the City of Las Vegas and have prepared three (3) redistricting proposals for the City Council's consideration; and

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAS VEGAS, NEW MEXICO:

THAT: the 2021 Official Las Vegas District Map Plan C is hereby enacted and adopted and attached hereto and made part of this Ordinance.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2021.

Mayor, Louie A Trujillo

ATTEST:

Casandra Fresquez, City Clerk

Reviewed and approved as to legal sufficiency only

Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|-----|
| David Ulibarri, Jr. | Yes | Michael Montoya | No |
| Elaine Rodriquez | Yes | David Romero | Yes |

City Clerk Fresquez advised the motion carried.

2. Request approval of Resolution No. 21-49, Resolution approving proposed charter amendments and authorizing placement of ballot questions on the ballot of the City of Las Vegas Municipal election on March 1, 2022 for the purpose of voting on such amendments.

City Attorney Scott Aaron advised the ballot questions take into account the standards set out in State law, Section 1-16-7 NMSA and 1.10.16 NMAC Ballot Questions Admin Rule. City Council tabled this item for the November 17, 2021 Council Meeting.

City Attorney Aaron informed that this was the updated resolution that was discussed last week although he had missed one important change on question number 4; *“shall the city delete section 8.01 C3 of the las vegas city of las vegas municipal charter which currently requires voters to register at least 30 days prior to an election and instead allow same-day voter registration in accordance with...”* and he stated this is where we would modify it to say in “accordance with

applicable law” it would not say “the federal national voter registration act”. He advised that he believed with that modification, the rest of the requested changes were made to it.

Councilor Romero made a motion to approve Resolution 21-49, Resolution approving proposed charter amendments and authorizing placement of ballot questions on the ballot of the City of Las Vegas Municipal election on March 1, 2022 for the purpose of voting on such amendments, with the amendment that “applicable law” would replace the “national voter registration act”. Councilor Ulibarri, Jr. seconded the motion.

Resolution 21-49 was presented as follows: *Due to length of the document, a complete copy may be obtained from the Las Vegas City Clerk’s Office.*

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|---------------------|-----|-----------------|-----|
| Elaine Rodriquez | Yes | David Romero | Yes |
| David Ulibarri, Jr. | Yes | Michael Montoya | Yes |

City Clerk Fresquez advised the motion carried.

3. Request approval of Resolution No. 21-48 Fiscal Year 2023 Section 5311 Grant Application Funding requests.

Transit Manager Marcelino Roybal advised the City of Las Vegas Transportation Department is required to apply for section 5311 grant funding annually. This application includes all documents required to comply under Federal Transit Administration (FTA) and New Mexico Department of Transportation (NMDOT) guidelines. This application lists all expenses with calculated amounts based on previous years. The ratios of the local match are 80/20 for administration expenses, 50/50 for operating expenses and 80/20 for capital expenses.

Brief discussion took place in regard to federal grant applications not needing to be brought to the governing body for approval but to be mentioned as part of the City Manager's report.

Councilor Romero made a motion to approve Resolution 21-48 Fiscal Year 2023 Section 5311 Grant Application Funding requests. Councilor Montoya seconded the motion.

Resolution 21-48 was presented as follows:

CITY OF LAS VEGAS, NEW MEXICO

Resolution No. 21-48

**A RESOLUTION TO APPLY FOR AND ACCEPT A PUBLIC RURAL
TRANSPORTATION GRANT OFFER FROM THE NEW MEXICO DEPARTMENT OF
TRANSPORTATION TRANSIT AND RAIL DIVISION**

WHEREAS, the City of Las Vegas Meadow City Express (“City”) has applied to the New Mexico Department of Transportation Transit and Rail Division (“NMDOT”) for the FY23 Section 5311 Public Transportation Grant; and

WHEREAS, the City expects the total amount to be \$415,775.00; and

WHEREAS, the City would have to contribute 20% (\$24,964.00) for administrative expenses, 50% (\$130,875.00) for operating expenses, 20% (\$5,840.40) for capital outlay in order to receive the Grant for a total amount of \$161,680.00, including New Mexico gross receipts tax; and

WHEREAS, transportation is needed for the residents of the City of Las Vegas;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Las Vegas that the recitals are hereby incorporated herein by reference and the Governing Body hereby agrees to contribute 20% (\$24,964.60) for administrative expenses, 50% (\$130,875.00) for operating expenses, 20% (\$5,840.40) for capital outlay in order to receive the Grant, and agrees to use the Grant for the operation of the City of Las Vegas Meadow City Express Transit System.

APPROVED AND ADOPTED this _____ day of November, 2021.

Louie A. Trujillo, Mayor

ATTEST:

Reviewed and approved as to legal sufficiency only:

Casandra Fresquez, City Clerk

Scott Aaron, City Attorney

Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|-----|
| Elaine Rodriquez | Yes | David Romero | Yes |
| Michael Montoya | Yes | David Ulibarri, Jr. | Yes |

City Clerk Fresquez advised the motion carried.

4. Request to award request for proposal (RFP) #2022-13 for the Re-Bid Water Distribution System Planning, Design and Construction Phase Engineering Services to Molzen-Corbin and Souder Miller & Associates.

Utilities Director Maria Gilvarry advised RFP #2022-13 was advertised and there were four proposals received from Souder Miller & Associates, Suina Design & Architecture (non-responsive), Molzen-Corbin & Associates and Stantec Consulting Services.

Mayor Trujillo asked for the reasoning of a re-bid regarding this RFP.

Utilities Director Gilvarry explained that it was due to receiving a letter that brought concern regarding that in the RFP packages they had asked for sealed rates for the engineers, which they do not use for evaluating and is not allowed for evaluation. She added that once the evaluation is complete they use it to start the contracts and since we requested it whether it was sealed or not, they were challenging our RFBs/RFPs. Utilities Director Gilvarry advised that they decided just to avoid any appearance of any concerns, so they rebid it without that request. She stated they stopped the rebidding process so they never completed the original bid and explained that these services were regarding anything related to water distribution.

Councilor Romero made a motion to approve to award request for proposal (RFP) #2022-13 for the Re-Bid Water Distribution System Planning, Design and Construction Phase Engineering Services to Molzen-Corbin and Souder Miller & Associates. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|-----|
| David Romero | Yes | Michael Montoya | Yes |
| Elaine Rodriquez | Yes | David Ulibarri, Jr. | Yes |

City Clerk Fresquez advised the motion carried.

5. Request to award request for proposal (RFP) #2022-14 for the Re-Bid of Allen Bradley Programmable Controller Products and Services to Yukon & Associates, LLC.

Utilities Director Gilvarry advised RFP #2022-14 was advertised and there was only one proposal received from Yukon & Associates, LLC.

Councilor Romero made a motion to award request for proposal (RFP) #2022-14 for the Re-Bid of Allen Bradley Programmable Controller Products and Services to Yukon & Associates, LLC. Councilor Rodriquez seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|-----|
| Michael Montoya | Yes | David Ulibarri, Jr. | Yes |
| Elaine Rodriquez | Yes | David Romero | Yes |

City Clerk Fresquez advised the motion carried.

6. Request award request for proposal (RFP) #2022-15 for Professional Engineering Services for Street & Drainage Improvements to Hot Springs Boulevard to Stantec Consulting Services.

Utilities Director Gilvarry advised RFP #2022-15 was advertised and there were two proposals received from Suina Design & Architecture (non-responsive) and Stantec Consulting Services. She informed that the reason this was specific to Hot Springs, it was a CDBG funded project and were informed by them that the engineering could not be an on-call engineering service as it needed to be specific for the Hot Springs project, the plans for utilities were already at 100% and Stantec was working the Hot Springs roadwork and the plan was to do the roadwork and utilities at the same time.

Brief discussion and questions took place regarding the Utilities grant funding.

Councilor Romero made a motion to award request for proposal (RFP) #2022-15 for Professional Engineering Services for Street & Drainage Improvements to Hot Springs Boulevard to Stantec Consulting Services. Councilor Montoya seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|-----|
| Elaine Rodriquez | Yes | David Ulibarri, Jr. | Yes |
| Michael Montoya | Yes | David Romero | Yes |

City Clerk Fresquez advised the motion carried.

Mayor Trujillo asked Utilities Director Gilvarry if all the RFPs went through the Utility Committee.

Utilities Director Gilvarry advised that they went through the committee.

Mayor Trujillo asked if the next time she could state that on the agenda that the Utilities Committee has reviewed it and recommends it for approval.

Councilor Montoya advised that the Finance Committee had changed their meetings for Monday before the second Council meeting so that they can approve and recommend before the Council meeting. He stated that he informed Finance Director Baquera to make sure that it was the agenda although once again it was not there.

Mayor Trujillo gave City Manager Maestas the directive to advise Directors anytime things have been approved at a committee level, that it should be reflected on the agenda.

EXECUTIVE SESSION

Councilor Romero made a motion to go into Executive Session to discuss personnel matters as permitted by Section 10-15-1 (H)(7) of the New Mexico Open Meetings Act, NMSA 1978. Councilor Ulibarri, Jr. seconded the motion. Mayor Trujillo asked for roll call. Roll Call Vote was taken and reflected the following:

| | | | |
|------------------|-----|---------------------|-----|
| Michael Montoya | Yes | David Ulibarri, Jr. | Yes |
| Elaine Rodriquez | Yes | David Romero | Yes |

Casandra Fresquez advised the motion carried.

Councilor Romero made a motion to go back into Regular Session, that only personnel matters were discussed and no action was taken. Councilor seconded the motion. Mayor Trujillo asked if all were in favor.
All were in favor.

ADJOURN

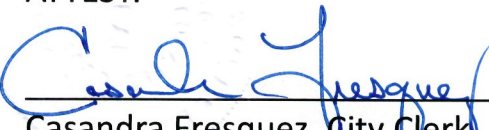
Councilor Romero made a motion to adjourn. Councilor Rodriquez seconded the motion. Mayor Trujillo asked if all were in favor.

All were in favor.



Mayor Louie A. Trujillo

ATTEST:



Casandra Fresquez, City Clerk